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**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts; Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450.

Name (Print/Type)	Margherita M. Badalamenti		
Signature	<i>Margherita M. Badalamenti</i>	Date	July 19, 2004

Attorney's Docket No. 106207-1

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	)	
	)	
RALPH D. GILLESPIE ET AL.	)	
	)	Examiner: Not yet assigned
Serial No. 10/718,050	)	
	)	Art Unit: 1755
Filed: November 20, 2003	)	
	)	
High-Activity Isomerization Catalyst and Process	)	

**PETITION TO ESTABLISH PRIOR RECEIPT IN THE P.T.O. OF ITEM(S)  
CONSIDERED AS NOT RECEIVED BY THE P.T.O.**

**RESPONSE TO NOTICE OF INCOMPLETE APPLICATION**

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

This is in response to the Notice of Incomplete Nonprovisional Application mailed for this application on July 7, 2004. A copy of the Notice of Incomplete Nonprovisional Application is enclosed.

Applicants assert that the items indicated as omitted, the drawings, were in fact deposited with the P.T.O. with the original application papers filed on November 20, 2003. In accordance with the requirements of the Notice of July 7, 2004, (see MPEP § 601.01(d), 7<sup>th</sup> Edition) applicants hereby (1) petition under 37 CFR 1.53(e) for a review of the determination that the items in issue were not deposited with the application; (2) submit the petition fee under 37 section 1.17(i) and (3) submit the attached evidence of the deposit of the items in issue. Authorization is hereby made to charge the amount of \$130.00 to Credit card as

shown on the attached credit card information authorization form PTO-2038. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached. It is respectfully requested that, upon grant of the petition under 37 CFR 1.53(e), the petition fee be refunded by a credit to the charge authorized above.

In connection with the Notice of Incomplete Nonprovisional Application dated July 7, 2004, applicants submit a photocopy of the date-stamped return post card receipt showing thereon that 2 sheets of formal drawing were in fact deposited on November 20, 2003 (See MPEP, § 503, 7<sup>th</sup> Edition). As a convenience to the Office, a second set of the 2 sheets of formal drawings are provided herewith.

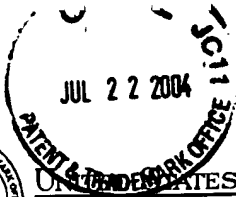
In light of the evidence, applicants respectfully request that their petition be granted and that the present application be accorded a filing date of November 20, 2003.

Respectfully submitted,



Maryann Maas  
Attorney for Applicants  
Reg. No. 38,954  
(847) 391-2137 (phone)  
(847) 391-2387 (fax)

MM/mmb



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/718,050	11/20/2003	Ralph D. Gillespie	106207-1

CONFIRMATION NO. 9299

## FORMALITIES LETTER



\*OC000000013165884\*

23490

JOHN G TOLOMEI, PATENT DEPARTMENT  
 UOP LLC  
 25 EAST ALGONQUIN ROAD  
 P O BOX 5017  
 DES PLAINES, IL 60017-5017

Date Mailed: 07/07/2004

## NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

T. TU

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



BEST AVAILABLE COPY

20-Nov-2003

The "Mail Room" Staff of the Patent and Trademark Office imprinted on  
acknowledges receipt and filing of the following:

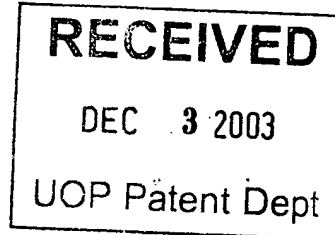
DOCUMENT: PATENT APPLICATION: ATTORNEY DOCKET NUMBER 106207-1

ENCLOSURES: UTILITY PATENT APPLICATION TRANSMITTAL, FEE TRANSMITTAL  
FOR FY 2004, CREDIT CARD FORM PTO-2038, APPLICATION DATA  
SHEET, 17 PAGES SPECIFICATION, 3 PAGES CLAIMS, ABSTRACT,  
DECLARATION, INFORMATION DISCLOSURE STATEMENT and 2  
SHEETS OF FORMAL DRAWINGS

APPLICANT: RALPH D. GILLESPIE ET AL.

TITLE: HIGH-ACTIVITY ISOMERIZATION CATALYST AND PROCESS

REFERENCE NO.: 106207-1 MM



031088 U.S. PTO  
10/718050





Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 130

## Complete if Known

Application Number	10/718,050
Filing Date	November 20, 2003
First Named Inventor	Ralph D. Gillespie et al.
Examiner Name	Not yet assigned
Art Unit	1755
Attorney Docket No.	106207-1

## METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name


The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ ) 0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X	\$18	<input type="text"/>
Independent Claims	<input type="text"/>	-3** =	<input type="text"/>	X	\$86	<input type="text"/>
Multiple Dependent						<input type="text"/>

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) 1814 Statutory disclaimer (\$110)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 130

## SUBMITTED BY

Name (Print/Type)	Maryann Maas	Registration No. (Attorney/Agent)	38,954	Telephone	847-391-2137
Signature		Date	July 19, 2004		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.